

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X		:	
ANTOINETTE SMITH, individually and on		:	
behalf of all others similarly		:	
situated,		:	21cv3657 (DLC)
	Plaintiff,	:	
-v-		:	<u>ORDER</u>
		:	
APPLE INC.,		:	
	Defendant.	:	
		:	
-----X			

DENISE COTE, District Judge:

On September 8, 2021, the defendant filed a motion to stay or to dismiss the complaint pursuant to Rule 12(b)(6), Fed. R. Civ. P. At an initial pretrial conference held on September 10, 2021, the plaintiff represented that she intended to amend her complaint, and the defendant represented that it intended to move to dismiss any amended complaint. Accordingly, it is hereby

ORDERED that the defendant's September 8, 2021 motion shall be terminated as moot.

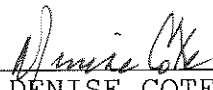
IT IS FURTHER ORDERED that the plaintiff shall file an amended complaint by **October 8, 2021**.

IT IS FURTHER ORDERED that the defendant shall move to dismiss the amended complaint by **October 29, 2021**. The plaintiff shall file any opposition to the renewed motion by **November 19, 2021**. The defendant shall file any reply by

**December 10, 2021.** At the time any reply is served, the moving party shall supply Chambers with two (2) courtesy copies of all motion papers by mailing or delivering them to the United States Courthouse, 500 Pearl Street, New York, New York.

IT IS FURTHER ORDERED that the defendant shall provide the plaintiff with a proposed protective order by **September 17, 2021.**

Dated: New York, New York  
September 10, 2021

  
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DENISE COTE  
United States District Judge